

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DOUGLAS WRIGHT,

Plaintiff,

v.

Case No. 2:16-cv-12113

District Judge Marianne O. Battani

Magistrate Judge Anthony P. Patti

KYLE SPERLING, et al.,

Defendants.

**ORDER DEEMING RESOLVED IN PART, GRANTING IN PART AND
DENYING IN PART THE CORIZON DEFENDANTS' MOTION TO
COMPEL (DE 35)**

Plaintiffs' July 22, 2016 first amended complaint alleges that Defendants were deliberately indifferent to his serious medical needs "in violation of his rights under the First, Eighth and Fourteenth Amendments to the United States Constitution, as well as state law." (DE 17 ¶ 1.) Currently before the Court is the Corizon Defendants' June 2, 2017 motion to compel, regarding which a response, reply and joint statement of resolved and unresolved issues have been filed. (DE 35, 38, 39 & 42.) Judge Battani referred this motion to me for hearing and determination, and a hearing was noticed for July 11, 2017.

On the date set for hearing, attorneys Thomas E. Kuhn, Kevin Andrew McQuillan, and Michael R. Dean appeared and presented oral argument. For the reasons stated on the record, all of which are incorporated by this reference as

though fully restated herein, the motion (DE 35) is **DEEMED RESOLVED** with respect to Plaintiff's MDOC medical records release and is **GRANTED IN PART** and **DENIED IN PART** as follows: **(a)** Plaintiff shall execute a release for his employment records with the Michigan State Police (MSP), limited in scope to only those portions of the MSP employment records that contain medical information or information pertaining to injuries (in other words, his general employment file is not discoverable); and, **(b)** Plaintiff need not execute a release for his education records. Finally, Defendants' request for an award of attorney fees and costs is **DENIED**, as no party completely prevailed, the issue presented warranted review by this Court, and such a request is not otherwise justified at this time.

IT IS SO ORDERED

Dated: July 11, 2017

s/Anthony P. Patti
ANTHONY P. PATTI
UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on July 11, 2017, electronically and/or by U.S. Mail.

s/Michael Williams
Case Manager for the
Honorable Anthony P. Patti

